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SECOND REGULAR SESSION
FIFTY-EIGHTH LEGISLATURE

**FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 23, 2006**

Senate Chamber

President Risch called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Goedde, absent and formally excused by the Chair; and Senators Bunderson, Cameron, and Marley, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Anna Ward, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Bunderson was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 20, 2006, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 23, 2006

The JUDICIARY AND RULES Committee reports that **S 1281, S 1282, S 1283, S 1284, S 1285, S 1286, S 1287, S 1288, S 1289, S 1290, S 1291, S 1292, S 1293, S 1294, SJM 117, SR 106**, and **SJR 104** have been correctly printed.

DARRINGTON, Chairman

S 1281, S 1282, S 1285, and **SJR 104** were referred to the Education Committee.

S 1283 was referred to the Resources and Environment Committee.

S 1284, S 1287, S 1288, S 1289, S 1290, S 1292, S 1294, and **SJM 117** were referred to the State Affairs Committee.

S 1286, S 1291, and **SR 106** were referred to the Judiciary and Rules Committee.

S 1293 was referred to the Health and Welfare Committee.

Senators Cameron and Marley were recorded present at this order of business.

January 20, 2006

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Larry A. Crowley to the Idaho Energy Resources Authority, term to expire June 30, 2008;

E. Robert (Bob) Mooney to the Idaho Energy Resources Authority, term to expire June 30, 2010;

Ralph Williams to the Idaho Energy Resources Authority, term to expire June 30, 2008;

Joseph S. Bleymaier as Administrator for the Idaho Division of Veterans Services, term to expire at the pleasure of the Governor.

BURTENSHAW, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 20, 2006

The FINANCE Committee reports out **H 403** with the recommendation that it do pass.

CAMERON, Chairman

H 403 was filed for second reading.

January 23, 2006

The STATE AFFAIRS Committee reports out **S 1260** and **SJM 114** with the recommendation that they do pass.

BURTENSHAW, Chairman

S 1260 was filed for second reading.

SJM 114 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1295

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE INDUSTRIAL SPECIAL INDEMNITY FUND; AMENDING SECTION 72-327, IDAHO CODE, TO REMOVE OBSOLETE REFERENCES, TO REVISE THE CALCULATION OF ASSESSMENTS AND TO PROVIDE FOR THE REPORTING OF BENEFITS PAID DURING A ONE YEAR PERIOD.

S 1296

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO ACTIONS FOR FORCIBLE ENTRY AND UNLAWFUL DETAINER; AMENDING SECTION 6-310, IDAHO CODE, TO PROVIDE FOR ACTIONS AND NOTICE WHEN A TENANT IS A TENANT AT SUFFERANCE; AMENDING SECTION 6-311, IDAHO CODE, TO PROVIDE APPLICATION OF THE STATUTE ON CONTINUANCES TO A PERSON WHO IS IN POSSESSION OF THE PROPERTY AND IS A TENANT AT SUFFERANCE; AMENDING SECTION 6-311A, IDAHO CODE, TO PROVIDE FOR A TRIAL WITHOUT A JURY IF THE TENANT IS A TENANT AT SUFFERANCE; AND DECLARING AN EMERGENCY.

S 1297

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO CRIMINAL JUDGMENTS; AMENDING SECTION 19-2520, IDAHO CODE, TO REMOVE LANGUAGE REQUIRING A NOTICE OF INTENT TO SEEK ENHANCED PENALTIES IN CERTAIN CASES AND TO MAKE A TECHNICAL CORRECTION.

S 1298

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO SCRAP METAL DEALERS; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-878, IDAHO CODE, TO DEFINE TERMS, TO REQUIRE RECORDS FOR PURCHASES OF SCRAP ALUMINUM PIPE OR COPPER, TO REQUIRE THE MAINTENANCE OF RECORDS, TO PROVIDE PENALTIES AND TO PROVIDE AN EXEMPTION.

S 1295, S 1296, S 1297, and S 1298 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1277 and S 1278, by Finance Committee, were read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

January 23, 2006

Mr. President:

I return herewith **S 1263** which has passed the House.

JUKER, Chief Clerk

S 1263 was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

January 23, 2006

The JUDICIARY AND RULES Committee reports that **S 1263** has been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1263**, and ordered it transmitted to the House for the signature of the Speaker.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 11:30 a.m., Tuesday, January 24, 2006.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary